

BEFORE THE BOARD OF OIL, GAS AND MINING

FILED

DEPARTMENT OF NATURAL RESOURCES

JAN 10 2014

STATE OF UTAH

SECRETARY, BOARD OF
OIL, GAS & MINING

IN THE MATTER OF THE REQUEST)
 FOR AGENCY ACTION OF)
 NEWFIELD PRODUCTION COMPANY)
 FOR AN ORDER POOLING ALL)
 INTERESTS IN FIVE DRILLING)
 UNITS ESTABLISHED BY THE)
 BOARD'S ORDERS ENTERED IN)
 CAUSES NOS. 139-8 AND 139-90 IN)
 SECTIONS 7, 9, AND 28, TOWNSHIP 3)
 SOUTH, RANGE 2 WEST, AND)
 SECTIONS 8 AND 12, TOWNSHIP 3)
 SOUTH, RANGE 3 WEST, U.S.M.,)
 DUCHESNE COUNTY, UTAH)

EX PARTE MOTION
 TO SERVE REQUEST FOR
 AGENCY ACTION BY
 PUBLICATION

Docket No. 2014-010Cause No. 139-115

NEWFIELD PRODUCTION COMPANY, by and through its undersigned attorneys, and pursuant to Utah Administrative Code Rule R641-106-230, petitions the Board of Oil, Gas and Mining (the "**Board**") for an order authorizing service of the Request for Agency Action filed in this matter on January 10, 2014 (the "**Request**"), to be made on the unlocatable owners as identified herein. As shown by the Landman Affidavits executed by Robert N. Miller II, Shane Gillespie, and Kenneth Harris and attached hereto as Attachment "A," and incorporated herein by reference, Newfield Production Company ("**Newfield**") has conducted a thorough title examination of the mineral interest ownership in all of Sections 7, 9, and 28, Township 3 South, Range 2 West, and all of Sections 8 and 12, Township 3 South, Range 3 West, U.S.M., Duchesne County, Utah (the "**Subject Lands**"), and has made a reasonable good faith effort to identify and locate the owners of those interests. Despite Newfield's diligent search, the following owners are not locatable (the "**Unlocatable Owners**"):

Agnes S. Knapp or the heirs/devisees of Agnes S. Knapp, including without limitation, Donald E. Knapp, Frank Knapp, Eric Knapp, Carol Jean Knapp Barney, and Maradel Knapp Brown;

Ernan H. Smith or the heirs/devisees of Ernan H. Smith, including without limitation, Ernan Young Smith, Dawn Smith Soger, Shirley Marie Chapman, Mary Ann Arrington, Mary K. Smith, Mary Ann Young Smith, Renee Dotson Smith, Skyler Smith, Kelly Smith, Nolan Smith, Doran Smith, Lance Smith, Rawlo Smith, and Carlan Smith;

Sara I. Tanner or the heirs/devisees of Sara I. Tanner, including without limitation, Isabelle T. Jensen, Ruth Doxey, Carolyn Olsen, Tom Walker, Wayne Walker, Zola T. Rhodes, David Rhodes, Peggy Rhodes, Daniel Rhodes, Doug Rhodes, and Nancy Rhodes;

Steven Hullinger or the heirs/devisees of Steven Hullinger, including without limitation, the heirs/devisees of Joseph W. Hullinger (deceased), the heirs/devisees of Steven D. Hullinger (deceased), the heirs/devisees of Mary Etta Hullinger Pace (deceased), the heirs/devisees of Donna Rose Hullinger Evans (deceased), and the heirs/devisees of Philecty Hullinger (deceased);

Thomas A. Judd and Ethel Judd;

The heirs/devisees of Marvin V. Fairbanks, including without limitation, Bertha Dean Fairbanks, James Dean Fairbanks, and Leslie Marie Hunting; and

The heirs/devisees of Esther Dean Iverson, including without limitation, the heirs/devisees of Daniel Wollum

Consistent with the Board's practice in prior pooling proceedings where some of the interested parties being pooled have been unlocatable, Newfield seeks an order authorizing it to serve its Request on the Unlocatable Owners by personalized published notice. Such notice is reasonably calculated to provide notice to the Unlocatable Owners of the pendency of the Request, the Hearing Examiner's February 19, 2014 hearing, and the Board's February 26, 2014 hearing. In addition to

providing such notice, Newfield's proposed published notice would apprise the Unlocatable Owners of their opportunity to lease their oil and gas minerals or to participate as an owner in the drilling of the Ute Tribal # 6-7-3-2W, Ute Tribal # 14-9-3-2W, Nickerson #6-28-3-2W, Red Cap # 2-8-3-3WH, Odekirk #11-12-3-3W, and To-Put-Che-Ar #13-12-3-3WH Wells (all as further described in the Request). The proposed notice also will apprise the Unlocatable Owners of the possibility that the Board may impose up to a 300% risk compensation penalty on the nonconsenting owners.

Service of the Request by publication is warranted to ensure that the Unlocatable Owners receive legally sufficient notice of their opportunity to participate in the Board's proceedings. Newfield proposes to publish the attached form of notice beginning on January 19, 2014, once a week for two consecutive weeks in the Salt Lake Tribune and Deseret Morning News, and for two consecutive weeks beginning on January 21, 2014, and January 22, 2014, in the Uintah Basin Standard and The Vernal Express, respectively, newspapers of general circulation in the county in which the Subject Lands are located, and further proposes that all objections or responses to the Request be filed and served no later than February 10, 2014. A proposed form of Order Granting Ex Parte Motion to Serve Request for Agency Action by Publication is attached hereto.

Dated this 10th day of January, 2014.

VAN COTT, BAGLEY, CORNWALL & McCARTHY

By 

Thomas W. Clawson
Attorneys for Petitioner
36 South State Street, Suite 1900
Salt Lake City, Utah 84111
Telephone: (801) 532-3333

CERTIFICATE OF MAILING

I hereby certify that on this 10th day of January, 2014, I caused a true and correct copy of the foregoing Ex Parte Motion to Serve Request for Agency Action by Publication to be served via U.S. Mail, properly addressed with postage prepaid, upon each of the following:

Michael S. Johnson
Assistant Attorney General
Utah Board of Oil, Gas and Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116

Steven F. Alder
Assistant Attorney General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116

A handwritten signature in blue ink, appearing to read "James W. Alder", is written over a horizontal line.

BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE REQUEST)
FOR AGENCY ACTION OF)
NEWFIELD PRODUCTION COMPANY)
FOR AN ORDER POOLING ALL)
INTERESTS IN FIVE DRILLING)
UNITS ESTABLISHED BY THE)
BOARD'S ORDERS ENTERED IN)
CAUSES NOS. 139-8 AND 139-90 IN)
SECTIONS 7, 9, AND 28, TOWNSHIP 3)
SOUTH, RANGE 2 WEST, AND)
SECTIONS 8 AND 12, TOWNSHIP 3)
SOUTH, RANGE 3 WEST, U.S.M.,)
DUCHESE COUNTY, UTAH)

ORDER GRANTING EX PARTE
MOTION TO SERVE REQUEST
FOR AGENCY ACTION BY
PUBLICATION

Docket No. 2014-____

Cause No. 139-____

The Board of Oil, Gas and Mining (the "Board") having fully considered Newfield Production Company's (the "Petitioner") Ex Parte Motion to Serve Request for Agency Action by Publication (the "Motion") and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order granting the Motion as follows:

1. Petitioner's Motion is granted.
2. The proposed Notice attached to the Motion shall be published prior to the Hearing Examiner's February 19, 2014 hearing once a week for two consecutive weeks in the Salt Lake Tribune, Deseret Morning News, Uintah Basin Standard, and Vernal Express newspapers.
3. Objections or responses to Newfield's January 10, 2014 Request for Agency Action shall be filed with the Secretary of the Board and served on Newfield's counsel no later than February 10, 2014.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

Issued this _____ day of January, 2014.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

Ruland J. Gill, Jr., Chairman

ATTACHMENT “A”

**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF AGNES S. KNAPP**

Robert N. Miller II personally appeared before me, being duly sworn, deposes and says:

1. My name is Robert N. Miller II. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the UT 6-7-3-2W and the UT 14-9-3-2W, Newfield requisitioned title attorneys for the preparation of Title Opinions covering lands in Township 3 South, Range 2 West, Sections 7 and 9, Duchesne County, Utah.
3. Said Title Opinions have identified Agnes S. Knapp as an unleased mineral owner in the aforementioned lands. Newfield requested its lease broker to search for Agnes S. Knapp, or any potential Heirs and/or Devisees for the purpose of leasing the subject mineral interest.
4. Newfield, through its lease broker, identified the names of five potential heirs of Agnes S. Knapp: Donald E. Knapp, Frank Knapp, Eric Knapp, Carol Jean Knapp Barney, and Maradel Knapp Brown. All attempts to locate and obtain leases from the potential heirs were unsuccessful.
5. Based on the unsuccessful results of Newfield's extensive search, Newfield has deemed Agnes S. Knapp as unlocatable.

FURTHER AFFIANT SAYETH NOT.

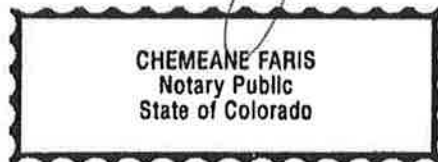


STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.


NOTARY PUBLIC

My Commission Expires: 12.14.15



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF ERNAN H. SMITH**

Robert N. Miller II personally appeared before me, being duly sworn, deposes and says:

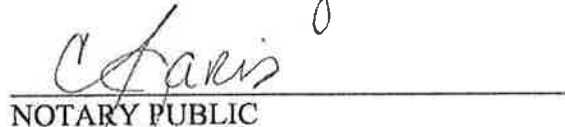
1. My name is Robert N. Miller II. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the UT 6-7-3-2W and the UT 14-9-3-2W, Newfield requisitioned title attorneys for the preparation of Title Opinions covering lands in Township 3 South, Range 2 West, Sections 7 and 9, Duchesne County, Utah.
3. Said Title Opinions have identified Ernan H. Smith as an unleased mineral owner in the aforementioned lands. Newfield requested its lease broker to search for Ernan H. Smith, or any potential Heirs and/or Devisees for the purpose of leasing the subject mineral interest.
4. Newfield, through its lease broker, identified the names of several potential heirs of Ernan H. Smith: Ernan Young Smith, Dawn Smith Soger, Shirley Marie Chapman, Mary Ann Arrington, Mary K. Smith, Mary Ann Young Smith, Renee Dotson Smith, Skyler Smith, Kelly Smith, Nolan Smith, Doran Smith, Lance Smith, Rawlo Smith, and Carlan Smith. However, all attempts to locate and obtain leases from the potential heirs were unsuccessful.
5. Based on the unsuccessful results of Newfield's extensive search, Newfield has deemed Ernan H. Smith as unlocatable.

FURTHER AFFIANT SAYETH NOT.

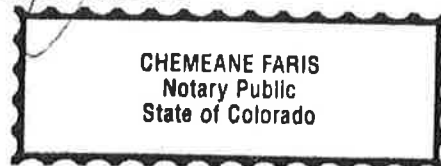


STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.


NOTARY PUBLIC

My Commission Expires: 12.14.15



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF SARA I. TANNER**

Robert N. Miller II personally appeared before me, being duly sworn, deposes and says:

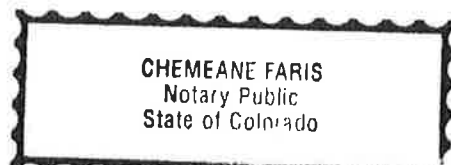
1. My name is Robert N. Miller II. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the UT 6-7-3-2W and the UT 14-9-3-2W, Newfield requisitioned title attorneys for the preparation of Title Opinions covering lands in Township 3 South, Range 2 West, Sections 7 and 9, Duchesne County, Utah.
3. Said Title Opinions have identified Sara I. Tanner as an unleased mineral owner in the aforementioned lands. Newfield requested its lease broker to search for Sara I. Tanner, or any potential Heirs and/or Devisees for the purpose of leasing the subject mineral interest.
4. Newfield, through its lease broker, identified the names of several potential heirs of Sara I. Tanner: Isabelle T. Jensen, Ruth Doxey, Carolyn Olsen, Tom Walker, Wayne Walker, John Walker, Zola T. Rhodes, David Rhodes, Peggy Rhodes, Daniel Rhodes, Doug Rhodes, Nancy Rhodes, Beth T. Spackman, and Helen T. Beaton.
5. Newfield was successful in obtaining leases from John Walker, Beth T. Spackman, and Helen T. Beaton, who are believed to be heirs of Sara I. Tanner. However, all other attempts to locate and obtain leases from Sara I. Tanner's remaining potential heirs were unsuccessful.
6. Based on the unsuccessful results of Newfield's extensive search, Newfield has deemed Sara I. Tanner as unlocatable.

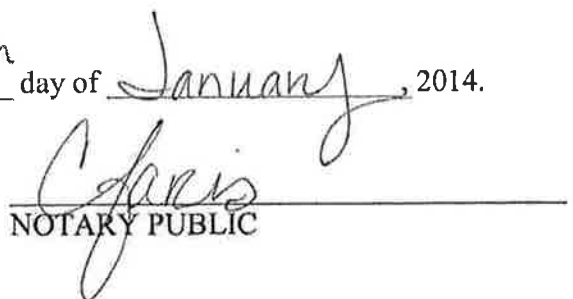
FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.




NOTARY PUBLIC

My Commission Expires: 12.14.15

**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF THE ESTATE OF STEVEN HULLINGER**

Shane Gillespie personally appeared before me, being duly sworn, deposes and says:

1. My name is Shane Gillespie. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Nickerson 6-28-3-2W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 2 West, Section 28, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion identified the Estate of Steven Hullinger as a mineral owner in the aforementioned lands. In February 2012, Newfield requested its lease broker search for heirs to the Estate of Steven Hullinger for the purpose of leasing his mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate the heirs to the Estate of Steven Hullinger and obtained affidavits identifying those heirs to be: Joseph W. Hullinger, deceased; Alfred D. Hullinger, deceased; Steven D. Hullinger, deceased; Mary Etta Hullinger Pace, deceased; Donna Rose Hullinger Evans, deceased; and Philecty Hullinger, deceased. Further research resulted in the location of, and lease agreements with, the purported heirs of Alfred D. Hullinger.
5. No further information was available as to any possible heirs of the individuals identified as heirs to the Estate of Steven Hullinger.
6. Based on the unsuccessful results of our extensive research, Newfield has deemed the remaining unleased heirs to the Estate of Steven Hullinger to be unlocatable for purposes of Newfield's Request for Agency Action concerning the Compulsory Pooling of all interests in Section 28, Township 3 South, Range 2 West, U.S.M.

FURTHER AFFIANT SAYETH NOT.



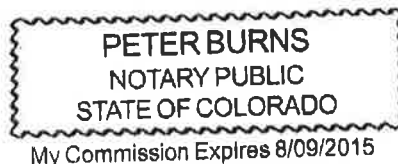
STATE OF COLORADO }
 }
COUNTY OF DENVER }

Subscribed and sworn to before me this 7th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:

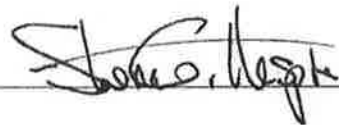


**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF THOMAS A. JUDD AND ETHEL JUDD**

Shane Gillespie personally appeared before me, being duly sworn, deposes and says:

1. My name is Shane Gillespie. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Red Cap 2-8-3-3WH, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 8, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion identified Thomas A. Judd and Ethel Judd as mineral owners in the aforementioned lands. In February 2013, Newfield requested its lease broker search for Thomas A. Judd and Ethel Judd for the purpose of leasing their mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate Thomas A. Judd and Ethel Judd. While several individuals with similar names were located, none purported to have knowledge of either the whereabouts of Thomas A. Judd and Ethel Judd, or any possible disposition of their interests in Section 8, Township 3 South, Range 3 West, Duchesne County, Utah.
5. Based on the unsuccessful results of our extensive research, Newfield has deemed Thomas A. Judd and Ethel Judd to be unlocatable for purposes of Newfield's Request for Agency Action concerning the Compulsory Pooling of all interests in in Section 8, Township 3 South, Range 3 West, Duchesne County, Utah.

FURTHER AFFIANT SAYETH NOT.



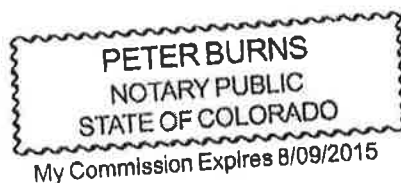
STATE OF COLORADO }
 }
COUNTY OF DENVER }

Subscribed and sworn to before me this 7th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF BERTHA DEAN FAIRBANKS**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Odekirk 11-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established Bertha Dean Fairbanks as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for Bertha Dean Fairbanks for the purpose of leasing her mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate Bertha Dean Fairbanks using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating Bertha Dean Fairbanks, or any potential Heirs and/or Devisees.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed Bertha Dean Fairbanks to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
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COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF THE HEIRS OF DANIEL WOLLUM**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Odekirk 11-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Esther Dean Iverson as a mineral owner in the aforementioned lands whereby through additional research Newfield has established the Heirs of Daniel Wollum as an Heir of Esther Dean Iverson and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for the Heirs of Daniel Wollum for the purpose of leasing his mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate the Heirs of Daniel Wollum using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others.
5. Said internet search revealed Daniel Wollum may have died in 2010. However, all attempts were unsuccessful in locating Daniel Wollum or any potential Heirs and/or Devises.
6. Based on the unsuccessful results of our extensive search, Newfield has deemed the Heirs of Daniel Wollum to be unlocatable.

FURTHER AFFIANT SAYETH NOT.

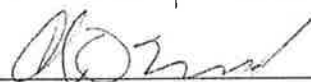


STATE OF COLORADO §

§

COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:




**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF JAMES DEAN FAIRBANKS**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

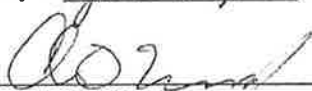
1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Odekirk 11-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established James Dean Fairbanks as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for James Dean Fairbanks for the purpose of leasing his mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate James Dean Fairbanks using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating James Dean Fairbanks, or any potential Heirs and/or Devises.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed James Dean Fairbanks to be unlocatable.

FURTHER AFFIANT SAYETH NOT,



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 7th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF LESLIE MARIE HUNTING**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the Odekirk 11-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established Leslie Marie Hunting as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for Leslie Marie Hunting for the purpose of leasing her mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate Leslie Marie Hunting using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating Leslie Marie Hunting, or any potential Heirs and/or Devisees.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed Leslie Marie Hunting to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF BERTHA DEAN FAIRBANKS**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the To-Put-Che-Ar 13-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established Bertha Dean Fairbanks as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for Bertha Dean Fairbanks for the purpose of leasing her mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate Bertha Dean Fairbanks using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating Bertha Dean Fairbanks, or any potential Heirs and/or Devisees.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed Bertha Dean Fairbanks to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF THE HEIRS OF DANIEL WOLLUM**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the To-Put-Che-Ar 13-12-3-3WH, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Esther Dean Iverson as a mineral owner in the aforementioned lands whereby through additional research Newfield has established the Heirs of Daniel Wollum as an Heir of Esther Dean Iverson and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for the Heirs of Daniel Wollum for the purpose of leasing his mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate the Heirs of Daniel Wollum using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others.
5. Said internet search revealed Daniel Wollum may have died in 2010. However, all attempts were unsuccessful in locating Daniel Wollum or any potential Heirs and/or Devises.
6. Based on the unsuccessful results of our extensive search, Newfield has deemed the Heirs of Daniel Wollum to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF JAMES DEAN FAIRBANKS**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the To-Put-Che-Ar 13-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established James Dean Fairbanks as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for James Dean Fairbanks for the purpose of leasing his mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate James Dean Fairbanks using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating James Dean Fairbanks, or any potential Heirs and/or Devisees.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed James Dean Fairbanks to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO §
 §
COUNTY OF DENVER §

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:




**LANDMAN AFFIDAVIT
REGARDING THE INTEREST OF LESLIE MARIE HUNTING**

Kenneth Harris personally appeared before me, being duly sworn, deposes and says:

1. My name is Kenneth Harris. I am a Landman for Newfield Production Company, whose address is 1001 17th Street, Suite 2000, Denver, CO 80202 ("Newfield").
2. As Operator of the To-Put-Che-Ar 13-12-3-3W, Newfield has requisitioned the preparation of a Drilling and Division Order Title Opinion covering Township 3 South, Range 3 West, Section 12, Duchesne County, Utah.
3. Said Drilling and Division Order Title Opinion has identified the Heirs of Marvin V. Fairbanks as a mineral owner in the aforementioned lands whereby through additional research Newfield has established Leslie Marie Hunting as an Heir of Marvin V. Fairbanks and thus a mineral owner in the aforementioned lands. In May 2012, Newfield requested its lease broker search for Leslie Marie Hunting for the purpose of leasing her mineral interest.
4. Newfield, through its lease broker, conducted an extensive internet search in an attempt to locate Leslie Marie Hunting using the following sites: Social Security Death Index, People Finder, 411, People Search, People Lookup, Family Search, and many others. Results from the online search tools were investigated, and all attempts were unsuccessful in locating Leslie Marie Hunting, or any potential Heirs and/or Devisees.
5. Based on the unsuccessful results of our extensive search, Newfield has deemed Leslie Marie Hunting to be unlocatable.

FURTHER AFFIANT SAYETH NOT.



STATE OF COLORADO

§

§

COUNTY OF DENVER

§

Subscribed and sworn to before me this 9th day of January, 2014.



NOTARY PUBLIC

My Commission Expires:



BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE REQUEST)
FOR AGENCY ACTION OF)
NEWFIELD PRODUCTION COMPANY)
FOR AN ORDER POOLING ALL)
INTERESTS IN FIVE DRILLING)
UNITS ESTABLISHED BY THE)
BOARD'S ORDERS ENTERED IN)
CAUSES NOS. 139-8 AND 139-90 IN)
SECTIONS 7, 9, AND 28, TOWNSHIP 3)
SOUTH, RANGE 2 WEST, AND)
SECTIONS 8 AND 12, TOWNSHIP 3)
SOUTH, RANGE 3 WEST, U.S.M.,)
DUCHESNE COUNTY, UTAH)

NOTICE
OF OPPORTUNITY TO LEASE
OR PARTICIPATE IN
OIL AND GAS WELLS
AND
SUPPLEMENTAL NOTICE
OF REQUEST FOR
AGENCY ACTION

Docket No. 2014- 010

Cause No. 139- 115

NEWFIELD PRODUCTION COMPANY TO:

Agnes S. Knapp or the heirs/devisees of Agnes S. Knapp, including without limitation, Donald E. Knapp, Frank Knapp, Eric Knapp, Carol Jean Knapp Barney, and Maradel Knapp Brown; Ernan H. Smith or the heirs/devisees of Ernan H. Smith, including without limitation, Ernan Young Smith, Dawn Smith Soger, Shirley Marie Chapman, Mary Ann Arrington, Mary K. Smith, Mary Ann Young Smith, Renee Dotson Smith, Skyler Smith, Kelly Smith, Nolan Smith, Doran Smith, Lance Smith, Rawlo Smith, and Carlan Smith; Sara I. Tanner or the heirs/devisees of Sara I. Tanner, including without limitation, Isabelle T. Jensen, Ruth Doxey, Carolyn Olsen, Tom Walker, Wayne Walker, Zola T. Rhodes, David Rhodes, Peggy Rhodes, Daniel Rhodes, Doug Rhodes, and Nancy Rhodes; Steven Hullinger or the heirs/devisees of Steven Hullinger, including without limitation, the heirs/devisees of Joseph W. Hullinger (deceased), the heirs/devisees of Steven D. Hullinger (deceased), the heirs/devisees of Mary Etta Hullinger Pace (deceased), the heirs/devisees of Donna Rose Hullinger Evans (deceased), and the heirs/devisees of Philecty Hullinger (deceased); Thomas A. Judd and Ethel Judd; the heirs/devisees of Marvin V. Fairbanks, including without limitation, Bertha Dean Fairbanks, James Dean Fairbanks, and Leslie Marie Hunting; and the heirs/devisees of Esther Dean Iverson, including without limitation, the heirs/devisees of Daniel Wollum; and all other persons claiming any right, title, or interest in or to the oil and gas produced from any reservoirs beneath the property described herein and in the Request for Agency Action filed in the above-entitled matter, or to the right to drill into, produce from, or appropriate such oil or gas.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, has designated a hearing examiner in this Cause who will conduct a hearing on Wednesday, February 19, 2014, at 1:30 p.m., or as soon as possible thereafter, in Room 112 of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah, and also, that the Board will consider the hearing examiner's proposed findings of fact and conclusions of law based on that hearing at the Board's regularly scheduled hearing on February 26, 2014, at 9:00 a.m., or as soon as possible thereafter, in the Auditorium of the Department of Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah.

A hearing was held on April 25, 2012, wherein the Board heard testimony and evidence concerning Newfield Production Company's ("Newfield") March 8, 2012 Request for Agency Action. At the hearing the Board ordered the entry of an order (the "Spacing Order") establishing and/or modifying sectional (640-acre or equivalent) drilling units for the production of oil, gas, and other hydrocarbons from the Green River and Wasatch Formations underlying the lands located in all of Sections 7, 9, and 28, Township 3 South, Range 2 West, and all of Sections 8 and 12, Township 3 South, Range 3 West, U.S.M., Duchesne County, Utah (together, the "Subject Lands"), among other lands. On January 10, 2014, Newfield filed another Request for Agency Action seeking to: (1) force pool the interests of certain non-consenting and non-locatable owners of the oil and gas minerals in the Spaced Intervals (as described in the Spacing Order) beneath the Subject Lands; (2) establish the average weighted royalty payments to such owners and the costs of plugging and abandoning certain identified wells; and (3) impose a non-consent risk compensation penalty of 300% of any non-consenting owner's share of the costs of staking the location, wellsite preparation, rights-of-way, rigging up, drilling, reworking, recompleting, deepening or plugging back, testing and completing each identified well, including the cost of equipment in the well to and including the wellhead connections, as just and reasonable compensation to the consenting owners. This Notice is being published at the direction of the Board to complete notice to the non-locatable parties listed herein, whose whereabouts cannot be ascertained through reasonable diligence.

The hearings in this Cause will be conducted as formal administrative adjudications in accordance with the rules of the Board as set forth in Utah Administrative Code Rules R641 *et seq.* as provided for by Utah Code Ann. § 63G-4-101 through 601.

One of the purposes of the hearing examiner's February 19, 2014 hearing and the Board's February 26, 2014 proceeding will be for the Board to give any non-locatable party listed herein an opportunity to respond to Newfield's January 10, 2014 Request for Agency Action, and in particular, its request to force pool all non-consenting and non-locatable mineral interest owners who own interests in the oil and gas minerals in the Spaced Interval beneath the Subject Lands.

Agnes S. Knapp or the heirs/devisees of Agnes S. Knapp, including without limitation, Donald E. Knapp, Frank Knapp, Eric Knapp, Carol Jean Knapp Barney, and Maradel Knapp Brown; Ernan H. Smith or the heirs/devisees of Ernan H. Smith, including without limitation, Ernan Young Smith, Dawn Smith Soger, Shirley Marie Chapman, Mary Ann Arrington, Mary K. Smith, Mary Ann Young Smith, Renee Dotson Smith, Skyler Smith, Kelly Smith, Nolan Smith, Doran Smith, Lance Smith, Rawlo Smith, and Carlan Smith; Sara I. Tanner or the heirs/devisees of Sara I. Tanner, including without limitation, Isabelle T. Jensen, Ruth Doxey, Carolyn Olsen, Tom Walker, Wayne Walker, Zola T. Rhodes, David Rhodes, Peggy Rhodes, Daniel Rhodes, Doug Rhodes, and Nancy Rhodes; Steven Hullinger or

the heirs/devisees of Steven Hullinger, including without limitation, the heirs/devisees of Joseph W. Hullinger (deceased), the heirs/devisees of Steven D. Hullinger (deceased), the heirs/devisees of Mary Etta Hullinger Pace (deceased), the heirs/devisees of Donna Rose Hullinger Evans (deceased), and the heirs/devisees of Philecty Hullinger (deceased); Thomas A. Judd and Ethel Judd; the heirs/devisees of Marvin V. Fairbanks, including without limitation, Bertha Dean Fairbanks, James Dean Fairbanks, and Leslie Marie Hunting; and the heirs/devisees of Esther Dean Iverson, including without limitation, the heirs/devisees of Daniel Wollum; and all other persons claiming any right, title, or interest in or to the oil and gas produced from any reservoirs beneath the property described herein should contact Newfield at (303) 893-0102, or at Newfield Production Company, 1001 Seventeenth Street, Suite 2000, Denver, Colorado 80202, Attention: Shane Gillespie, regarding the opportunity to lease. Additionally, each of the owners named in this paragraph and all other persons claiming any right, title, or interest in or to the oil and gas produced from the Spaced Interval beneath the property described herein, or to the right to drill into, produce from, or appropriate such oil or gas, has the opportunity to participate in one or more of the following wells located on the Subject Lands by entering a joint operating agreement and by paying their portion of the costs of drilling and completing the well or wells pertaining to their ownership interest:

Ute Tribal #6-7-3-2W
Ute Tribal #14-9-3-2W
Nickerson #6-28-3-2W
Red Cap #2-8-3-3WH
Odekirk #11-12-3-3W
To-Put-Che-Ar #13-12-3-3WH

(the "Subject Wells"). The Subject Wells are located within a sectional (640-acre or equivalent) drilling unit established and/or modified by the Board at the April 25, 2012 hearing. For information on leasing your interest or participating in the well, or for any other questions, you should contact Newfield as provided above or through its undersigned counsel.

Failure to respond to the January 10, 2014 Request for Agency Action or to participate in any of the Subject Wells by entering into a lease or by paying its share of the drilling and completing costs for a well, will result in such non-participating owner being deemed a non-consenting owner, and therefore, subject to force pooling and a possible non-consent risk compensation penalty of up to 300% that may be imposed by the Board at the February 26, 2014 hearing.

Objections to this matter shall be filed with the Secretary of the Board and served on Newfield's counsel at the addresses listed below no later than February 10, 2014. Objections filed later may be considered by the Board at or before the regularly scheduled hearing for good cause shown. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meets the rules of the

Utah State Bar for practicing before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The January 10, 2014 Request for Agency Action, and any subsequent pleadings may be inspected at the office of the Secretary to the Board, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84116 ((801)-538-5277), or copies obtained by contacting Petitioner's counsel Thomas W. Clawson at the address and telephone number listed below. A party who fails to attend or participate in the hearing may be held in default.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

Dated this 10th day of January, 2014.

VANCOTT, BAGLEY, CORNWALL & McCARTHY

By: /s/ Thomas W. Clawson

36 South State Street, Suite 1900
Salt Lake City, Utah 84111
(801) 532-3333